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FOR RELEASE FRIDAY, JANUARY 20

Enactment of specific legislation aimed at cutting costs and increasing efficiency in Montana business and government operations has been recommended to the Legislature by the Montana Commission on Uniform State Laws.

The Montana commissioners are urging action during the current legislative session on model and uniform acts drafted by the National Conference of Commissioners on Uniform State Laws. The national organization, formed in 1892 to promote uniformity in the laws of the land, is made up of commissioners from every state.

Montana's commissioners, appointed by the governor, are James T. Harrison, chief justice of the Montana Supreme Court; Robert E. Sullivan, dean of the Montana State University Law School, and Alex Blewett Jr., Great Falls attorney.

The measures recommended by the Montana commissioners are the Model State Administrative Procedure Act, the Uniform Commercial Code, and amendments to the Uniform Enforcement of Support Act, which was adopted by Montana in 1951.

Dean Sullivan, secretary of the Montana commission, calls the Uniform Commercial Code "probably the most important legislation ever drafted and recommended by the National Conference." Adoption of the code would update Montana law governing commercial practices and bring it into line with commercial law in neighboring states, he said. The uniform code is already on the books in Washington, Oregon, California, Wyoming and North Dakota, he noted.

"With modern communications and transportation shrinking distances every day," he commented, "business, commerce and finance increasingly cross state lines. It is inefficient to have unnecessary variations in commercial law between one state and another."

(more)

The code would reform "mechanical" rules affecting such transactions as sales, bills and notes, bank collections, documents of title and investment securities, the dean said. It would not basically change current business practices but would give them better legal protection and eliminate waste and inconsistencies. It avoids, so far as possible, "social" or "regulatory" effects; that is, it does not protect or favor one class or group over any other.

The principal aims of the Uniform Commercial Code and the other legislation backed by the Montana commission are to increase efficiency and economy and make Montana law more consistent with that of other states, Dean Sullivan said.

He pointed out that the model and uniform acts drafted by the National Conference are the result of collaboration of some of the best legal talent in the country. The lawyers, judges and professors who draft the acts can command top fees in the market place, and by making their work available without charge to law makers, the conference performs an invaluable service, he added.

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